

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DOMINICK RUSSO,

Plaintiff,

vs.

Case No.:

NORTHSTAR LOCATION
SERVICES, LLC,

Defendant.

COMPLAINT

1. Plaintiff alleges a violation of the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (“FDCPA”).

JURISDICTION

2. Jurisdiction of this Court arises under 28 U.S.C. § 1331, 1337, 1367, and pursuant to 15 U.S.C. § 1692 et seq. (“FDCPA”).

3. This action arises out of Defendant’s violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. (“FDCPA”) by this Defendant and its agent in its illegal effort to collect a consumer debt from Plaintiff.

4. Venue is proper in this District because the act and transaction occurred here, Plaintiff resides here, and Defendant transacts business here.

PARTIES

5. Plaintiff, DOMINICK RUSSO, is a natural person who resides in Hoboken, State of New Jersey, and is a “consumer” as that term is defined by 15 U.S.C. § 1692a(3).

6. Defendant, NORTHSTAR LOCATION SERVICES, LLC, (“Northstar”) address of 4285 Genesee Street, Cheektowaga, NY 14225-1943, and is a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6).

7. Defendant Northstar regularly uses the mail and telephone in a business the principal purpose of which is the collection of debts.

8. Defendant Northstar regularly collects or attempts to collect debts for other parties.

9. Defendant Northstar was acting as a debt collector with respect to the collection of Plaintiff’s alleged debt.

FACTUAL ALLEGATIONS

10. Plaintiff incurred a financial obligation that was primarily for personal, family or household purposes and is therefore a “debt” as that term is defined by 15 U.S.C. § 1692a(5).

11. Sometime thereafter, the debt was consigned, placed or otherwise transferred to Defendant for collection from this Plaintiff.

12. Defendant sought to collect from Plaintiff an alleged debt arising from transactions incurred for personal, family or household purposes.

13. After the initial correspondence with Plaintiff, Defendant has failed to send a letter to Plaintiff notifying him of his rights and privileges under the law.

14. Defendant has failed to provide any documentation detailing the purchases, payments, interest, and late charges, if any, thereby making it impossible for Plaintiff to

determine whether or not he owes the alleged debt and whether the alleged debt was correctly calculated.

COLLECTION CALL

15. In or about April 2011, Defendant Northstar's collector contacted Plaintiff by telephone in an effort to collect this debt, which was a "communication" in an attempt to collect a debt as that term is defined by 15 U.S.C. § 1692a(2).

16. Defendant repeatedly attempted to collect this debt with intent to harass Plaintiff.

SUMMARY

17. The above-described collection communication made to Plaintiff by Defendant Northstar, and a collection employee employed by Defendant Northstar, was made in violation of multiple provisions of the FDCPA, including but not limited to 15 U.S.C. § 1692g.

18. Upon information and belief, Defendant sought to collect a debt from Plaintiff despite the fact that it had no knowledge of its validity.

19. Defendant's actions in attempting to collect the alleged debt were harassing, and highly deceptive.

TRIAL BY JURY

20. Plaintiff is entitled to and hereby respectfully demands a trial by jury on all issues so triable. US Const. amend. 7. Fed.R.Civ.P. 38.

CAUSES OF ACTION

COUNT 1

VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT
15 U.S.C. § 1692 et seq.

21. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

22. The foregoing act and omission of the Defendant and its agent constitutes numerous and multiple violations of the FDCPA including, but not limited to, each and every one of the above-cited provisions of the FDCPA, 15 U.S.C. § 1692 et seq., with respect to this Plaintiff.

23. As a result of the Defendant's violation of the FDCPA, Plaintiff is entitled to statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorneys' fees and costs pursuant to 15 U.S.C. § 1692k(a)(3), from the Defendant herein.

COUNT 2

VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT
15 U.S.C. § 1692g

24. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

25. Defendant violated §1692g of the FDCPA by failing to send written notification, within five (5) days after its initial communication with Plaintiff, advising Plaintiff of his rights to dispute the debt or request verification of the debt.

26. Defendant acted in an otherwise deceptive, unfair and unconscionable manner and failed to comply with the FDCPA.

WHEREFORE, Plaintiff requests that this Honorable Court enter judgment in favor of Plaintiff and against Defendant for:

- A) Damages and
- B) Attorneys' fees and costs

COUNT 3

VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT
15 U.S.C. § 1692f

27. Upon information and belief, Defendant has attempted to collect a debt in which the amount sought was not expressly authorized by the agreement creating the debt or permitted by law.

COUNT 4

VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT
15 U.S.C. § 1692e

28. Defendant has falsely represented the amount of debt allegedly due.

WHEREFORE, Plaintiff requests that this Honorable Court enter judgment in favor of Plaintiff and against Defendant for:

- A) Damages and
- B) Attorneys' fees and costs

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against the Defendant.

Dated: May 14, 2011

Respectfully submitted,

/s Andrew I. Glenn
Andrew I. Glenn
E-mail: AGlenn@cardandglenn.com
Florida Bar No.: 026491992
Card & Glenn, P.A.
660 Newark Avenue, Floor 3
Jersey City, New Jersey 07306
Telephone: (201) 254-5009
Facsimile: (201) 643-5959
Attorneys for Plaintiff